

**Wagner, Carmen (DNR)**

---

**From:** Kevin [kecker@new.rr.com]  
**Sent:** Friday, January 02, 2004 5:19 PM  
**To:** Herkert, Toni  
**Subject:** RE: shorland zoning changes

Dear Toni,

While I do not own any shoreland property I am very concerned that the proposals you are making do not consider the landowners property rights. I am completely against any changes you are suggesting that removes or limits the rights a property owner has under the current laws. I would also be against rules which eliminate, or restrict future development of shoreland property so as to protect the beauty of the property for the benefit of the public unless you are willing to compensate the landowner the full market value of the property as if it would have been developed. This type of situation should involve the current laws regarding condemnation of property and the just compensation that you would have to give the property owner if you would want to place restrictions and/or limitations on the property which would affect its value for development.

Thank you.

Sincerely,

Kevin Ecker,REALTOR  
Broker/Owner, WISCONSIN REAL ESTATE

-----Original Message-----

From: Herkert, Toni [<mailto:Toni.Herkert@dnr.state.wi.us>]  
Sent: Wednesday, December 31, 2003 10:58 AM  
To: 'Kevin'  
Subject: RE: shorland zoning changes

Sorry for my delayed response - the deadline for comment is today, December 31, 2003. However, I will not be back in the office until the 5th and I would like everyone to have an opportunity to comment.

Thanks for your interest and I hope you can find the time before the 5th to send in comments! Toni

P Toni Herkert  
Shoreland Management Team Leader  
Dam Safety, Floodplain and Shoreland Management Section  
Bureau of Watershed Management  
Wisconsin Department of Natural Resources  
(\*) phone: (608) 266-0161  
(\*) fax: (608) 264-9200  
(\*) e-mail: [toni.herkert@dnr.state.wi.us](mailto:toni.herkert@dnr.state.wi.us)

-----Original Message-----

From: Kevin [<mailto:kecker@new.rr.com>]  
Sent: Tuesday, December 16, 2003 12:52 PM  
To: Herkert, Toni  
Subject: shorland zoning changes

Dear Toni,

Is there still time for the public to send in comments concerning the proposed changes and if so, when is the deadline for this? What is the date for proposed changes to take place? Thank you.

Sincerely,

03/22/2004

Kevin Ecker, REALTOR

Broker/Owner, WISCONSIN REAL ESTATE



# Forest County Association of Lakes, Inc.

10801 Nature Trail Lane  
Three Lakes, WI 54562  
(715) 479-9888

December 10, 2003

Toni Herkert, Shoreland Management Team Leader  
DNR WT/2  
Box 7921  
Madison, WI 53707-7021



Dear Ms. Herkert

As was promised at the November 12, 2003 listening session, the following positions on various NR115 Advisory Committee proposals were approved by the Forest County Association of Lakes Board of Directors at our November 14, 2003 board meeting.

- I. Buffer depth - Proposal A was preferred.  
Size of VAC - Proposal A was preferred.
- II. OHWM - should be 75 feet.  
Boathouse Option - proposal A was preferred.
- III. Nonconforming structures - proposal was acceptable except limited expansion in the secondary buffer in a lakeward direction should not be allowed.  
Minimum lot size - Proposal A was preferred.  
Total size of structure - Proposal A was preferred, B was not acceptable.  
Structures in more than one buffer zone - Proposal A was preferred.  
All definitions were acceptable except that the portion of overhang included in the "footprint" should be limited to three feet or less.  
Major reconstruction - Proposal A was acceptable, Prop. B was not.
- IV. Minimum new lot size - Proposal A was preferred.  
Minimum building area - Proposal A was preferred.  
Minimum lot size in MFD's - support current law (same density as single family and duplex)
- VI. Lot size reduction for CD's - not understood, not voted on, but board promotes clustered housing arrangements as long as lakeshore density (100 ft./unit) is not increased.
- VII. OHWM setback reductions and nonconforming lot provisions - "Existing pattern of development" should be eliminated, as proposed. The majority of directors found the proposal only marginally acceptable. The same owner re-lotting requirement is good in theory, but seemed to be easy to bypass by transferring ownership to other interested parties.  
The stepped approach is extremely awkward.  
Step 1 Limiting setback averaging to the two adjacent properties should apply only if adjacent property buildings are horizontally within 30 feet of the property line. All three lots would need to be very shallow for this to apply.  
Step 2 Needs to have a minimum acceptable area requirement.  
Step 3 Determining setbacks on a "case by case basis" would be far from an "equity" approach in Forest County!

Mitigation and BMPs is an unlikely possibility in Forest County unless it is mandated by state code.

Filling, Grading... – current law is fine, but it must be enforced.

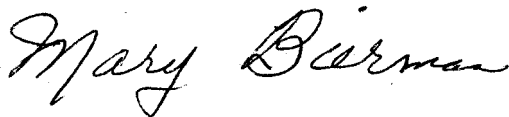
- IX. Impervious Surface Provisions – Proposal A was preferred. The board felt that the maximum depth to be used in the percent calculation should be 200 feet, regardless of the actual lot depth.
- X. Mitigation Provisions - The FCAL board agrees that mitigation is a great way to restore shoreland areas in a relatively short timeframe. However, in Forest County it is a utopian dream that will never come true unless it is mandated in state code with direct state enforcement supervision.
- XI, XII Agriculture and Forestry were not discussed.

Recreation Areas.... – The general proposals were acceptable by the board with reservations about increasing use pressure by allowing additional development density in these areas. Of particular concern was the allowance to remove thirty percent of the buffer of an extended length of shoreline all in one strip. The buffer strip is just as important to the lake adjacent to these developments as it is along residential shoreline.

Limits on Camping Unit Stays – Proposal A was preferred with additional wording “... in each sixty days”.

The work of the Advisory Committee has been commendable. We appreciate that our opinions on these proposals was solicited, and that our input will be seriously considered as you conclude the revision of this code. These are issues that are important to all lake property owners in our county and to our public, as well.

Yours truly,

A handwritten signature in cursive script that reads "Mary Bierman". The signature is written in dark ink and is positioned above the printed name and title.

Mary Bierman, President  
Forest County Association of Lakes

**Wagner, Carmen (DNR)**

---

**From:** Chris Frank [ccfrank@sbcglobal.net]**Sent:** Friday, January 02, 2004 1:53 PM**To:** Herkert, Toni**Cc:** everett.51**Subject:** Comments on the NR115 Shoreland Management Program

Dear Ms. Herkert,

January 2, 2004

Unfortunately, I was not able to attend a public hearing so I am not privy to all the conversation that has taken place regarding the issues around the implementation of the above proposal.

As a tax payer and property owner I am particular concerned about the issues regarding lake front property on Lake Michigan. Especially in light of the escalating tax burden in Sheboygan County, I feel that I have little control over decisions with respect to the use of my property. In the last seven years our taxes have increased almost 200%. Considering that I receive few benefits from the county, I am paying a disproportionate amount and the increases have outpaced inflation. As a property tax payer in Wisconsin on my summer cottage, I do not even qualify to purchase resident fishing and hunting licenses.

Regarding the proposal NR115, based on the information I have received my understanding is that the survey and research done in support of this proposal did not include Lake Michigan shoreline property. Therefore, I am not sure that NR115 should apply to these properties.

**Sec. I, II, & III - Shore land Buffers & Setbacks:**

Unlike most inland lakes the typography of Lake Michigan's shoreline is much more diverse ranging from flat beaches to steep 75 foot cliffs and bluffs, therefore, each property along a stretch of shoreline maybe unique. Therefore, setbacks and exceptions to these standards should managed by the local authorities and the particular characteristics of that property.

**Sec. IV, V, & VI - Development Density:**

Although I am concerned about over population of the shoreline, I believe current county regulations are more than sufficient to address these issues given regulations for the subdivision of lots. The green frog concern is not one of Lake Michigan further pointing out the uniqueness of our shoreline.

**Sec. VII - Nonconforming Structures:**

Many of the structures and cottages have been in place for decades and, therefore, at a minimum need to be preserved. The 50% rule makes no sense today, based on current costs. Many underwent rehab/additions prior to current the limitations in the current ordinance. Property owners should be allow more latitude through the local variance processes to update and extend their footprints to some degree even though the existing structure may be nonconforming with respect to the set-back from Lake Michigan by today's standards. The maintenance and updating of our properties results in everyone benefiting. The more that each land owner is willing to invest the better.

**Sec. VIII, VII, IX, X, XI, XII, XIII - Flexibility & Mitigation:**

I share the desire to maintain our shoreline's natural resources as I am sure every owner along the shoreline does. This should be done by working together through tax incentives for reforestation and the prevention of erosion etc. The landowner should be given the maximum flexibilities regarding improvements to mitigate their impact on the land and the DNR and local authorities should assist the landowners in finding the right solutions for these problems.

I hope this communication gives you and understanding of our concerns and position regrading the recommendations on shoreline management proposed in NR115.

Chris & Christine Frank  
1801 N Ter Ronde Beach  
Oostburg, Wisc. 53070

Home adress:  
1454 S Prairie Ave.  
Chicago, Ill 60605  
e-mail ccfrank@sbcglobal.net

Herbert, T.

## DNR to buy land from county for state forest

Sale paves way for

## Support ELF For the Good Of Wisconsin

To The Telegram:

Persons interested in keeping in good condition the whole of our wilderness areas in northern Wisconsin should be informed that this is a time of urgent choice. There is still a little time left for us to do what we can to parry the latest threat of an atomic dump in Wisconsin. All those in favor of ELF (extremely low frequency) radar-sonar grids, should write to their congressmen now, before the deadline, when Congress is set to decide on the final location for ELF.

## GOP bid to control land buys ails in veto

Kaufert calls finance  
committee's action on  
Stewardship 'too cute'

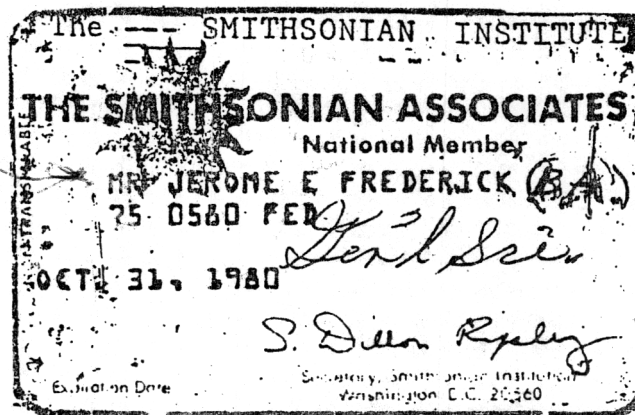
Land purchases for DNR developments should be frozen, at least until the state budget is balanced. I have no car. How can I benefit from a state forest? Go Greyhound?

Tommy Thompson may have wanted to stop suburban sprawl around Marinette, but farm land is cheaper in the tundra than in our corn belt. There's a shorter growing season there.

The real est. brokers who work for the DNR buy high and sell low. They could be put to work to buy small acreages in Milw. County to be developed as satellite campuses of U.W.-M. I notice that some applicants for enrollment who live in the lower end of Wauk. City have been put on waiting lists. So, I'd suggest immediate purchase of Potter's Woods. That's for a starter!

We the People

Freeze DNR funding!



P.O. Box 04244  
Z.C. 53204



*Rationale: Most tourists see lots of silos before they feed the tundra.*

#### **God Limits Social Policy**

The Europeans have devised a social policy on prostitution and marijuana that is devoid of religious superstition, political cowardice, and emotions. It is one that reduces the spread of AIDS by regulating prostitution through the mandated use of condoms and the testing of prostitution workers. It is one that reduces the number of underage prostitutes because the government can verify the age of the workers. It is one that helps safeguard the safety of the workers and the consumers by taking the trade off the street for a large part. It is one where marijuana is prescribed for those who need it for medical use.

It is also one where a person with no chance of medical recovery and who is under intense pain has the freedom to determine to go on with one's life or not if they so wish (It is ironic that a person in the U.S. can be denied medical care to keep himself alive if he lacks enough insurance or does not have insurance, but at the same time another person can be forced to receive medical care when they no longer want it.)

Although religion has done much good in society, it has also unfortunately done harm in limiting or even prohibiting social policy

from being enacted that would reduce misery in society because it violates a religious precept that a powerful group or individual finds important ["Godstock," June 21].

**Jerry Anthony**

*Germany is using French I.Q. tests to determine who may enter universities.*



In like t

WI, has more silos than CA  
any other  
state

Each summer thousands of tourists  
wend their way northward through  
picturesque dairies to get to the  
gymnosperm lands of the taiga and  
tundra. On the way they see lots  
of silos and a few old cupola roofs  
on some of the cattle barns. Tour  
guides on Jones tours should be  
instructed on how to answer questions  
or even give brief lectures on the  
differences between old concrete  
silos and new glass-coated steel  
silos, which will shine in sunlight.  
Many of the tourists come from  
out of state. To be able to recall  
the frequency of these strange  
landmarks would ring a bell  
with many a tourist.

*Toni Herbert:*

The so-called "Milwaukee Idea" is not very new. It was plagerized from the original

# UWM

UWM has already outgrown its campus, and many believe the problem will only get worse as time goes by.

UWM's main campus is one of the smallest in the University of Wisconsin System. The entire campus sits on just 63 acres in the middle of a residential neighborhood. Yet UWM has 23,000 students; only Madison has more. UW-Madison's main campus covers 933 acres, almost fifteen times the size of the UWM cam-

pus. Now, the University is setting a goal to add another 6,000 students, bringing the enrollment to nearly 30,000. However, because more students would further crowd the UWM campus, officials are forced to explore other options.

Now that Milwaukee Mayor John Norquist has decided not to run for another term, we have the opportunity to review the relationship between City of Milwaukee and county government.

Wisconsin Idea. The latter, of course, included the Milwaukee County Idea, even M.A.T.C. and it's satteelites, two of which are located in Milwaukee County. But the people who are flaunting the Banners of today's Milwaukee Idea don't want To mention any relationship between the City and The County nor their institutions of higher learning. The purchase of the Downer campus ca. 35 yrs. Ago led to an excentric location for U.W. -M. ---- Excentric in my mind's eye of a metro area of more than one million metro residents. But even before the Regents decided ~~to~~ to buy the Downer campus there had been advocates of a Franklin location, where expansions of facilities would have been easier, even if processes of eminent domain should be needed later on. What's interesting now is thaat the U. W. System needs a ~~two-year~~ campus in an excerntric location to more or less off-set the excentricity of the Downer location in a bird's eye of this metro area of over a million residents. But proponents of the orthodox new 'Milwaukee Idea' obviously would seem to prefer a new asteroid-sattelite campus, which they can use as a dumping grounds for certain academic departments. If you ask me who was the instigator of these initionatives I would have to guess that it was one person, --- namely the Moyor if urban Milwaukee --- who is not the Mayor of Metro Milwaukee.

## Spin off the county's parks

*Psychiatrists and psychologists far and wide believe that public parks are good for the cures of mental illnesses. However, in the name of better land usage, I believe the Regents of the State university system should be given legislative permission to exercise eminent domain actions to acquire a satellite campus for the urban U.W.-M.*

I am on record to lobby the M.P.S  
Sen. Board to sell Potter's Woods +  
the Regents of the U. of W.I., so that they can  
build a satellite campus on state owned  
land. A professor (initials L.S.) has written  
that U.W.-M. may need more than one  
satellite campuses.